

REMARKS/ARGUMENTS

Claims 1-6 are pending in this application. Claim 1 has been amended. No new matter has been added.

Claim Rejections under 35 U.S.C. §112

Claims 1-6 are rejected under 35 U.S.C. §112.

Applicants have amended claim 1 to set forth that control means controls the mode changing means so that an instruction output from the mode change instruction means is made ineffective and the mode changing means is not operated even with the instruction output from the mode change instruction means, when the second indicating means indicates that the front wheels and the rear wheels are not at neutral. Accordingly, claim 1, as amended, should be found to be consistent with the specification, and therefore in compliance with 35 U.S.C. §112.

Claim Rejections under 35 U.S.C. §§102 and 103

Claims 1-2 and 4-6 are rejected under 35 U.S.C. §102(b) as being anticipated by Andrew (EPO Publication 0439370 A1); and claim 3 is rejected under 35 U.S.C. §103(a) as being unpatentable over Andrew (EPO Publication 0439370 A1). Applicants request reconsideration of the rejections in view of the foregoing amendments and for the following reasons

Claim 1 has been amended to clarify that which the Applicants regard as the invention. According to the invention, the instruction output from the mode change instruction means is made ineffective when the second indicating means indicates that the front wheels and the rear

wheels are not at neutral and the mode changing means is operated only when the second indicating means indicates that the front wheels and the rear wheels are at neutral. *See* pages 20, lines 9-16; page 21, lines 26 to page 22, line 2; page 24, line 22 to page 25, line 5 and page 25, lines 20-25 of the specification. Also, according to the invention, the first indicating means always indicates, as the current steering mode, a steering mode corresponding to the operated state of the mode changing means regardless of the instruction output from the mode change instructing means.

The Andrew '370 reference is disclosed by Applicants in the Background Art section of the specification of the present application. Disclosed by Andrew is a system for changing the steering mode for a vehicle. When the mode change is shifted, the mode changing valve is kept from shifting until the front wheels come into neutral, and the selected mode is made effective only after the front wheels come into neutral, as identified by Applicants in the second paragraph on page 2 of the specification (*see* also columns 7 and 8 of the reference). The problem with the Andrew system is that when the operator shifts the mode change switch unintentionally in the state of the front and rear wheels not being at neutral, the shift position of the mode changing valve is kept in the same state as that which is had been until the front and rear wheels come into neutral. This results in a condition that the shift position of the mode change switch does not match the actual steering mode. In such a condition, an operator may mistake the shift position of the mode change switch for the actual steering mode, and may not perform steering in the correct way.

More specifically, in Andrew, referring to column 8, line 54 to column 9, line 7 of the reference and Fig. 4, the indicator lights I1, I3 and I4 "tally with the actual steering mode

rather than the selected steering". In other words, in Andrew, when the selector means 40 is operated to change the steering mode and the front or rear wheels are not at neutral, the selected steering mode is retained and then the steering mode is changed to the selected one when the front or rear wheels become neutral. Before the front or rear wheels become neutral, indicator lights I 1, I 3 or I 4 correspond to the actual steering mode but not to the selected steering mode that is illuminated. Thus, there is a mismatch between the steering mode indicated by the indicator light during the time until the front or rear wheels become neutral.

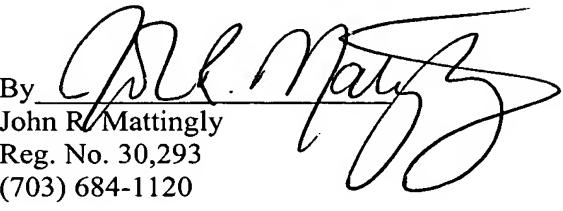
In the present invention, the problem with the Andrew system is overcome since the control means controls the mode changing means and the first indicating means so that an instruction output from the mode change instructing means is made ineffective and the mode changing means is not operated even with the instruction outputted from the mode change instructing means, when the second indicating means indicates that the front wheels and the rear wheels are not at neutral. Further, the first indicating means always indicates, as the current steering mode, the steering mode corresponding to an operated state of the mode changing means regardless of the instruction inputted from the mode change instructing means. In this manner, the operator can always perform steering while recognizing the present steering mode, which is not possible in the steering system of Andrew. Accordingly, Andrew does not anticipate or render obvious the invention as claimed and therefore the 35 U.S.C. §102(e) and 103 rejections should be withdrawn.

CONCLUSION

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

By 
John R. Mattingly
Reg. No. 30,293
(703) 684-1120

JRM/so
Date: January 25, 2006